

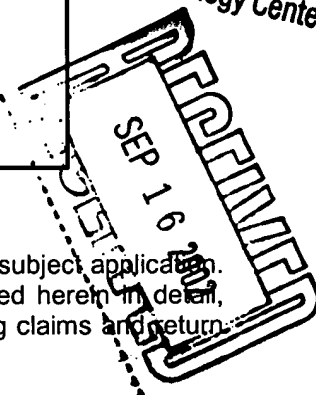
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## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

|                       |   |
|-----------------------|---|
| In re application of: | Phil Delurgio, Hau Lee, Michael Nea, I Rob Parkin, Suzanne Valentine, Krishna Venkatraman |
| Serial No.:           | 09/849621   |
| Filed:                | 5/5/2001  |
| Docket:               | DT.0102   |
| For:                  | APPARATUS FOR MERCHANDISE PROMOTION OPTIMIZATION  |

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Attached hereto is Form PTO-1449 listing documents believed relevant to the subject application. It is respectfully requested that the Examiner review the information disclosed herein in detail, independently evaluate each item carefully in the consideration of the pending claims and return an initialed copy of each form to the undersigned.

- 10 This disclosure statement should not be construed as a representation that a search has been made, that no other material information as defined in 37 C.F.R. § 1.56(a) exists, or as an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b) or is available as a reference under 35 U.S.C. § 102 et seq. Applicant reserves the right to swear behind or otherwise disprove the alleged "prior" nature of any art cited should the facts support and the situation warrant such an action.
- 15

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98, and the Manual of Patent Examining Procedures § 609. If for some reason the examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

- 20 A copy of each document is enclosed. Some of the documents may have markings thereon. No significance is intended to be attached to the markings.

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Respectfully submitted,

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James W. Huffman  
Huffman Law Group, Inc.  
Registration No. 35,549  
1832 N. Cascade Ave.  
Colorado Springs, CO 80907  
719.475.7103  
719.623.0141 fax  
jim@huffmanlaw.net

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Date: 5-31-02

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Date of Deposit 5/31/02. I hereby certify that this paper is being deposited with the U.S. Postal Service Express Mail Post Office to Addressee Service under 37 C.F.R. § 1.10 on the date shown above and is addressed to the U.S. Commissioner of Patents and Trademarks, Washington, D.C. 20231.  
By: Brenda C. Bristol



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|---|---|----|---|--------------------------|---------------|
| <b>Substitute for form 1449A/PTO</b><br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |               |
|   |   |    |   | Application Number       | 09/849621     |
|   |   |    |   | Filing Date              | 5/5/2001      |
|   |   |    |   | First Named Inventor     | Phil Delurgio |
|   |   |    |   | Group Art Unit           |               |
|   |   |    |   | Examiner Name            |               |
| Sheet   | 1 | of | 1 | Attorney Docket Number   | DT.0102       |

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| U.S. PATENT DOCUMENTS |                          |                      |                           |  |  |  |
|-----------------------|--------------------------|----------------------|---------------------------|--|--|--|
| Examiner<br>Initials  | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                           | Name of Patentee or Applicant<br>of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant Figures Appear |
|                       |                          | Number               | Kind<br>Code <sup>2</sup> |  |  |  |
|                       | AA                       | 6,308,162            |                           | Quimet et al                                       | 10/23/2001   |  |
|                       |                          |                      |                           |  |  |  |
|                       |                          |                      |                           |  |  |  |

| FOREIGN PATENT DOCUMENTS |                          |                         |                           |  |  |  |
|--------------------------|--------------------------|-------------------------|---------------------------|--|--|--|
| Examiner<br>Initials     | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                           | Name of Patentee or Applicant<br>of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant Figures Appear |
|                          |                          | Number <sup>4</sup>     | Kind<br>Code <sup>5</sup> |  |  |  |
|                          | BA <sup>1</sup>          | WO 98/53415             | 1                         | Quimet et al                                       | 11/26/1998   |  |
|                          |                          |                         |                           |  |  |  |
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| OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---|--------------------------|---|----------------|
| Examiner<br>Initials*                           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial<br>symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|   | CA <sup>1</sup>          | Montgomery: "The Impact of Micro-Marketing on Pricing Strategies", 1994 The University of Chicago,<br>volume 55/12-A of Dissertation Abstracts International, page 3922 (ABSTRACT ONLY).  |                |
|   | CB <sup>1</sup>          | Busch: "Cost modeling as a technical management tool", Reasearch-Technology Management, Nov/Dec<br>1994, vol. 37, no. 6, pages 50-56.   |                |
|   | CC <sup>1</sup>          | "Pacifcorp IRP: Renewables Costs Must Drop 65% to be Competitive with Gas"  |                |
|   |                          |   |                |
|   |                          |   |                |
|   |                          |   |                |
| Examiner<br>Signature                           |                          | Date<br>Considered  |                |

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.